IN THE SPECIFICATION

Please replace the paragraph beginning at page 47, line 11 with the following rewritten paragraph:

"Substantially free of wax particles" means that in observing the cross section of a toner by a transmission type electron microscope (TEM) photograph, wherein the toner has a volume-average particle diameter of from 3 to 12 μm, a half value width of a number-average particle diameter of particulate wax contained therein, when the cross section of the toner is observed, of 0.06 μm or less, and wherein the distribution of particulate wax having an average particle diameter of 0.01 μm or more throughout the toner particle satisfies the following equation:

$(A/B)/(C/D) \leqq 0.1$

wherein A is total area of wax particles contained in outermost layer to a depth of 0.1 μm;

B is total area of outermost layer;

C is total area of wax particles contained in remainder of toner particle (at a depth of greater than 0.1 μm from the surface of the particle); and

D is total area of said remainder of toner particle,

wherein all areas are measured as observed in a cross section of said toner particle through a center point of said toner particle.